

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODNEY MORENO,

Plaintiff,

v.

LLOYD J. AUSTIN, III, Secretary, U.S.
Department of Defense

Defendant.

No. 2:22-cv-01719-KJM-KJN PS

ORDER

On May 3, 2023 the magistrate judge filed findings and recommendations (ECF No. 16), which were served on the parties and contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed.

The court presumes any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations (ECF No. 16) are ADOPTED IN FULL;

////

2. Plaintiff's claims are DISMISSED WITH PREJUDICE as provided by Federal Rule of Civil Procedure 41(b); and

3. The Clerk of Court is directed to CLOSE this case.

DATED: July 10, 2023.



CHIEF UNITED STATES DISTRICT JUDGE